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January 26, 2018

Via online submission (at EPA website)

Via USPS to:

Regional Freedom of Information Officer  
U.S. EPA, Region 4  
AFC Bldg, 61 Forsyth Street, S.W., 9th Flr (4PM/IF)  
Atlanta, GA 30303-8960

Re: FOIA Request on Behalf of Cape Fear Public Utility Authority

Dear FOIA Officer:

We represent the Cape Fear Public Utility Authority ("Authority") which relies on the Cape Fear River for its public water supply system. In order to assist EPA in interpreting this request for information please understand that the Authority needs as much information as possible about any and all fluorinated substances that have contaminated or may contaminate the water the Authority receives at water supply intakes located downstream of the Fayetteville Works. The Fayetteville Works is a chemical manufacturing facility located on the Cape Fear River near Fayetteville, North Carolina.

The identity of the fluorinated substances will be used by the Authority in a process for design and implementation of technologies to remove fluorinated substances from its water and its distribution system. The work is ongoing and the information is needed as soon as possible.

Fluorinated substances have entered the Cape Fear River at the Fayetteville Works through air emissions, NPDES wastewater and stormwater discharges, spills, soil contamination, contaminated groundwater, and probably other routes. The requested information includes records related to fluorinated substances currently or historically located in the Cape Fear River watershed impacted by the Fayetteville Works and in the water column, the sediment, and the biota of the Cape Fear River. Accordingly, we do not intend to limit this request to particular programs administered by EPA or to a list of specifically-identified substances. No

such limitations should be inferred by EPA. **We anticipate that several EPA regulatory programs will have records that the Authority needs.**

We sent on June 19, 2017, a FOIA request to EPA HQ, FOIA request number EPA-HQ-2017-008625. We have received a few records from the TSCA program, but no records related to Clean Water Act, RCRA, Clean Air Act, or other EPA regulatory programs. After a recent phone conversation with EPA HQ regarding the request, there was consensus that it would be helpful for us to send this separate FOIA request to Region 4. This request is in addition to and separate from request number EPA-HQ-2017-008625.

We request copies of each record of any kind (paper, electronic, email or fax transmissions, voice recordings, photographs, and records of any other type) in the possession or otherwise under the control of the Environmental Protection Agency that is related to any one or more of the following subjects:

1. Use, storage, disposal, spilling, discharge, or release (in any manner) to the environment at the Fayetteville Works (since the inception of the Fayetteville Works in about 1971) of any of the following substances:
  - a. fluorinated substances that **are** identified as specific chemical compounds;
  - b. fluorinated substances that **are not** identified as specific chemical compounds; and
  - c. any “fluoropolymer processing aid” or “polymer processing aid.”
2. Known, potential, or suspected toxicity to humans of any of the following:
  - a. fluorinated substances used, stored, disposed of, spilled, discharged, or in any manner released to the environment at the Fayetteville Works since the inception of the Fayetteville Works in about 1971;
  - b. “fluoropolymer processing aids” or “polymer processing aids” used, stored, disposed of, spilled, discharged, or in any manner released to the environment at the Fayetteville Works since the inception of the Fayetteville Works in about 1971.
3. Past occurrence, present occurrence, or predicted future occurrence in the Cape Fear River watershed, water, sediments, or biota of any of the following substances:
  - a. fluorinated substances that **are** identified as specific chemical compounds;
  - b. fluorinated substances that **are not** identified as specific chemical compounds; and
  - c. any “fluoropolymer processing aid” or “polymer processing aid.”

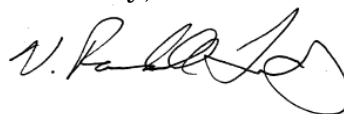
We expect the records responsive to our request will include, *by way of example and not by way of limitation*, paper records, electronic records, active records, and archived records, such as:

- Water and wastewater sampling and analytical reports
- Contamination investigation reports
- Site assessments
- Remediation plans and reports
- Permits and permit reviews
- Permit applications
- Records of compliance or noncompliance with permits
- Records of regulatory and statutory compliance or noncompliance
- Inspection reports
- Complaints
- Records of meetings
- Records of on-site visits
- Records of phone conversations
- Emails
- Correspondence
- Logbooks
- Field notes
- **Any other responsive record**

If you have any questions, please feel free to give me a call.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "V. Randall Tinsley", with a stylized flourish at the end.

V. Randall Tinsley

336-271-3180

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